

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:	:	Chapter 13
Christopher B. Gambrill	:	
Alison J. Gambrill	:	Case No. 1:14-bk-01664
Debtors	:	

DEBTORS' RESPONSE TO TRUSTEE'S MOTION TO DISMISS

AND NOW, this 7th day of August, 2017, come the Debtors, Christopher B. Gambrill and Alison J. Gambrill, by and through their attorney, CGA Law Firm, Brent C. Diefenderfer, Esquire, hereby respond to the Motion to Dismiss of the Chapter 13 Trustee and state as follows:

1. On May 9, 2016, Debtors filed a Third Motion to Modify the Confirmed Plan. The Motion to Modify was primarily based upon an inheritance which Mr. Gambrill was set to receive which required modification of the Plan such that 100% of the allowed Proofs of Claim would be paid through the Plan.
2. On June 6, 2016, the Court granted the Motion to Modify.
3. The Plan payments were to increase to recapture the remaining amount of allowed unsecured claims beginning in May 2017.
4. Debtors are in the process of divorcing and are now separating their finances in anticipation of permanent separation and divorce.
5. On account of the divorce, the Debtors intend to bifurcate the bankruptcy cases. On August 2, 2017, a Motion to Sever was filed.
6. Ms. Gambrill intends to convert her case to a Chapter 7 to obtain a discharge from her debts.

7. Mr. Gambrill intends to either convert his case to Chapter 7 or to dismiss the bankruptcy.

WHEREFORE, Debtors oppose dismissal of the case to the extent that additional time is necessary to accomplish the bifurcation and conversion of the cases to Chapter 7.

Respectfully submitted,
CGA Law Firm
/s/Brent C. Diefenderfer, Esquire
Brent C. Diefenderfer, Esquire
Supreme Court No. 93685
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Counsel for Debtors

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CERTIFICATE OF SERVICE

I hereby certify that on August 7th 2017, I electronically filed the foregoing with the Clerk of the Bankruptcy Court using the CM/ECF system/U.S. Mail, which sent notification of such filing to:

Charles DeHart, III, Trustee

/s/Brent C. Diefenderfer, Esquire